



**U.S. Immigration
and Customs
Enforcement**

March 7, 2005

News Release

INDIANA MAN CHARGED WITH WORKING WITH FORMER IRAQI INTELLIGENCE OFFICERS IN THE U.S.

INDIANAPOLIS—A central Indiana resident—who allegedly acted as a foreign agent for Iraq, illegally obtained U.S. citizenship, and violated sanctions against Iraq—was arrested and indicted last week following an FBI-led investigation that was assisted by U.S. Immigration Customs Enforcement (ICE) and the Transportation Security Administration (TSA).

The charges against Greenfield, Ind., resident Shaaban Hafiz Ahmad Ali Shaaban, 52, aka Shaaban Hafed, aka Joe Brown, was announced Thursday by Susan W. Brooks, U. S. Attorney for the Southern District of Indiana.

According to the criminal complaint, Shaaban traveled to Iraq before U.S. forces invaded Iraq in 2003. He agreed to sell for \$3 million the names of U.S. intelligence operatives in that country to Saddam Hussein's Iraqi Intelligence Service.

Shaaban was arrested for acting as a foreign agent of Iraq, other related conduct and immigration violations. The indictment charges that Shaaban never registered as an Iraqi agent as required by U.S. federal law. The indictment further alleges that Shaaban committed the following specific acts when he lived in Indianapolis, Ind., in 2002 and 2003:

- traveled to Baghdad in late 2002 where he agreed to sell names of U.S. intelligence agents and operatives to Iraq for \$3 million;
- sought to gain Iraqi support to establish an Arabic TV station in the U.S. to broadcast pro-Iraqi news and discussions;
- sought to enter into a "Cooperation Agreement" where he would be paid a fee by Iraq to organize volunteers to act as human shields to protect Iraqi Infrastructure during the war;
- broadcast messages of support for the Iraqi government on Iraqi media stations that advocated support for Iraq and encouraged others to forcibly resist the United States and others that opposed Iraq.

The Government charged Shaaban with: Conspiracy, and Acting as a Foreign Agent without notification. He was also charged with violating the Iraqi Sanctions under the International Emergency Economic Powers Act, Unlawful Procurement of an Identification Document and Unlawful Procurement of Naturalization. The arrest resulted from an indictment that was returned March 2 and unsealed March 3 following Shaaban's arrest and initial court appearance in federal court. The charges are the result of an FBI-led investigation assisted by ICE and TSA.

According to U.S. Attorney Brooks, federal law requires individuals – other than diplomats, consular officers and attaches – who agree to act as an agent of a foreign government, to register with the U.S. Attorney General. Brooks further stated that, beginning in 1990, the President declared a national emergency with respect to Iraq and, under the International Emergency Economic Powers Act (IEEPA) and the Iraqi Sanctions Regulations, banned travel and any transactions with Iraq unless authorized to by the Treasury Department's Office of Foreign Asset Control. These sanctions were continually in place until May 2003 when certain sanctions were lifted. It wasn't until July 2004 that the President declared that the national emergency with Iraq was over.

The indictment alleges Shaaban traveled to Iraq in late 2002, and while there met with members of the Iraqi Intelligence Service (IIS). IIS, known in Arabic as the Da'irat al-Mukhabbarat al'Amma, or the Mukhabbarat, was the foreign intelligence arm of Iraq. IIS missions included foreign intelligence collection (gathering information regarding the intentions of foreign governments), counterintelligence (detecting efforts by foreign governments to gather intelligence about Iraq), and collecting information regarding individuals and groups considered hostile to Iraq.

Finally, the indictment alleges that Shaaban used two distinct identities and unlawfully obtained an Indiana commercial driver's license under his assumed name of Shaaban Shaaban Hafed. The indictment also alleges that Shaaban failed to disclose his separate identity when he applied to become a naturalized U.S. citizen and thereby unlawfully obtained his citizenship.

"Seeking out those who would work with foreign governments and organizations hostile to this country is the top priority of the Department of Justice," state U.S. Attorney Brooks. "Agreeing to provide names of United States operatives to Iraq in the months preceding the war are very serious charges that go to the heart of the nation's security," Brooks added.

FBI Special Agent in Charge Keith Lourdeau stated, "While it is not alleged that Shaaban was an actual Iraqi intelligence officer and charged with espionage, it is alleged that Shaaban sought to assist intelligence officers. Our national security is constantly threatened by foreign intelligence services and their assets who wish to enhance their strategic position against the United States. The FBI will aggressively pursue those individuals who seek to provide sensitive information to hostile governments."

"The Department of Homeland Security and U.S. Immigration and Customs Enforcement were created because individuals like Shaaban were able to exploit gaps in the nation's immigration system," said Michelle Mangold, resident agent-in-charge for the Indianapolis ICE office. "Shaaban is charged with creating two separate identities for himself in this country, and was able to obtain U.S. citizenship through illegal means, which poses a serious threat to our nation's security. ICE is committed to restoring integrity to our nation's immigration system."

According to Assistant U.S. Attorney Sharon M. Jackson, who is prosecuting the case for the government, each count other than the conspiracy carries a maximum prison sentence of 10 years and a maximum fine of \$250,000. The conspiracy count carries a maximum prison sentence of five years and a maximum fine of \$250,000. If convicted of unlawfully procuring U.S. citizenship or naturalization, another component of the sentence is automatic de-naturalization.

April 25 has been set as the preliminary trial date before the Honorable John Daniel Tinder.

The indictment is an allegation only, and the defendant is presumed innocent unless and until proven guilty at trial or by guilty plea.

ICE

U.S. Immigration and Customs Enforcement was established in March 2003 as the largest investigative arm of the Department of Homeland Security. ICE is comprised of five integrated divisions that form a 21st century law enforcement agency with broad responsibilities for a number of key homeland security priorities.